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N.J. BOARD OF NURSING

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF	:	
	:	
LISA A. CLYBURN, R.N.	:	Administrative Action
License No. 26NO11584900	:	
	:	FINAL ORDER
TO PRACTICE NURSING	:	OF DISCIPLINE
IN THE STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing (the "Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Lisa A. Clyburn, R.N. ("Respondent") is licensed as a registered professional nurse in the State of New Jersey and has been a licensee at all relevant times.

2. On or about February 11, 2013, the Board sent a demand for written statement under oath to Respondent seeking information, including certificates of completion of continuing education completed during the June 1, 2009 - May 31, 2011 biennial renewal period.

3. On or about March 28, 2013, Respondent indicated that she did not possess any certificates of completion, but stated that she

would attempt to locate them and provide them if they became available.

4. On or about April 18, 2013, Respondent sent the Board a supplemental response to the demand for written statement under oath and indicated that she did not have any certificates of completion due to a flood in her home and subsequent displacement. Respondent did attach a transcript listing 14.5 hours of "CE Courses" completed in the months of October 2010 through March 2011. Respondent also attached a transcript listing assorted in-service classes which have not been approved/accredited as continuing education.

5. On or about May 23, 2013, Respondent completed her online biennial license renewal application which asked "Will you have completed the required continuing education credits by May 31, 2013?" Respondent answered "yes" and certified that answer to be true by submitting the online application.

CONCLUSIONS OF LAW

Pursuant to N.J.A.C. 13:37-5.3, a nurse shall complete a minimum of 30 hours of continuing education per biennial renewal period. Falsification of any information submitted on the renewal application may result in penalties and/or suspension or revocation of the license. N.J.A.C. 13:37-5.3(a). Additionally, a registered professional nurse shall maintain continuing education compliance documentation for a period of four years after completion of the

hours and shall submit such documentation to the Board upon request. N.J.A.C. 13:37-5.3(f). The documentation, usually in the form of a certificate of completion, must show that the course was approved/accredited as continuing education and must show the number of hours awarded. Respondent's transcript lists do not include language indicating that the courses or classes were approved/accredited as continuing education for nurses. Even if the Board accepted Respondent's transcript of "CE Courses," Respondent only completed 14.5 hours of continuing education during June 1, 2009 - May 31, 2011.

Respondent failed to demonstrate, to the satisfaction of the Board, that she completed the required thirty hours of continuing education credits during the June 1, 2009 - May 31, 2011 biennial renewal period. The Board therefore finds Respondent in violation of N.J.A.C. 13:37-5.3, which the Board deems professional misconduct within the intendment of N.J.S.A. 45:1-21(e) and also constitutes a violation or failure to comply with a regulation administered by the Board within in the intendment of N.J.S.A. 45:1-21(h).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on September 3, 2013, provisionally suspending respondent's nursing license, and imposing a \$250.00 civil penalty. A copy of the Order was served upon respondent. The Provisional Order was subject to finalization by the Board at 5:00

p.m. on the 30th business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Respondent replied to the Provisional Order, via her attorney, and documented completion of continuing education credits for the renewal period of 2011-2013, and to demonstrate that she had cured the deficiency in continuing education credits for the 2009-2011 renewal period. Accordingly, the Board determined that suspension of respondent's nursing license was no longer warranted. The Board further determined that as no discrepancy had been raised with respect to respondent's failure to timely complete continuing education in violation of N.J.A.C. 13:37-5.3, additional proceedings were not necessary, and the Provisional Order should be made final, imposing the \$250.00 monetary penalty.

ACCORDINGLY, IT IS on this 19th day of November, 2013,

ORDERED that:

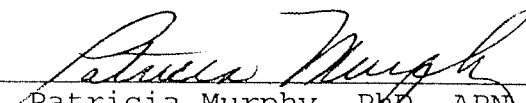
1. A civil penalty in the amount of two hundred fifty dollars (\$250) is hereby imposed upon Respondent for failing to timely complete her continuing education requirements. Payment

shall be made by certified check or money order payable to "State of New Jersey," delivered to George Hebert, Executive Director, State of Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Payment shall be made no later than fifteen (15) days after the entry of any Final Order of Discipline in this matter. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

2. Respondent may not use the courses completed on October 23, 2013 and October 25, 2013, used to satisfy continuing education requirements for the 2009-2011 and 2011-2013 renewal requirements, in order to meet the continuing education obligation for the June 1, 2013-May 31, 2015 renewal period.

NEW JERSEY STATE BOARD OF NURSING

By:


Patricia Murphy, PhD, APN
Board President